

N° 677.

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**DANEMARK ET  
UNION DES RÉPUBLIQUES  
SOCIALISTES SOVIÉTISTES**

Echange de notes comportant un accord de commerce et de navigation avec une déclaration relative aux créances mutuelles. Londres, le 18 juin 1924.

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**DENMARK AND UNION  
OF SOCIALIST SOVIET  
REPUBLICS**

Exchange of Notes constituting an Agreement of Commerce and Navigation, together with a declaration respecting mutual claims. London, June 18, 1924.

No. 677. — EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT OF COMMERCE AND NAVIGATION BETWEEN DENMARK AND THE UNION OF SOCIALIST SOVIET REPUBLICS, TOGETHER WITH A DECLARATION RESPECTING MUTUAL CLAIMS. LONDON, JUNE 18, 1924.

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*Texte officiel anglais communiqué par le Ministre de Danemark à Berne. L'enregistrement de cet accord a eu lieu le 26 juillet 1924.*

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DELEGATION OF THE DANISH GOVERNMENT,  
MOSCOW.

p. t. LONDON, June 18, 1924.

SIR,

In view of the fact that the DANISH GOVERNMENT have to-day recognised *de jure* the Government of the UNION OF SOCIALIST SOVIET REPUBLICS, I have the honour, according to the instructions received from my Government, to propose to the Government of the Union that the Danish-Russian Preliminary Agreement <sup>1</sup> signed on April 23, 1923, shall, pending the conclusion of a final Treaty of Commerce and Navigation govern the economic relations between Denmark and the Union, the stipulations of the Agreement, *e. g.*, as regards the position of the official representatives, to be so modified in accordance with the general principles of the law of nations as the establishment of normal diplomatic relations between the two countries entails.

The Danish Government especially wish to point out that in their opinion the reservation contained in Article II, paragraph 3, of the Preliminary Agreement, and which is repeated in Articles IV, VII, VIII and IX, becomes void and that the Danish Government by recognizing the Union Government *de jure* has fulfilled the condition stipulated for the enjoyment of the most-favoured-nation treatment according to the above-mentioned articles without any other limitation than that following from Article XII of the aforesaid Agreement.

I have the honour to be, with highest consideration,

Your obedient servant,

(Signed) P. SCHOU.

M. Maxim LITVINOFF,  
Deputy Commissioner of the People  
for Foreign Affairs.

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<sup>1</sup> Vol. XVIII, page 15, de ce Recueil.

<sup>1</sup> TRADUCTION. — TRANSLATION.

No. 677. — ÉCHANGE DE NOTES COMPORTANT UN ACCORD DE COMMERCE ET DE NAVIGATION ENTRE LE DANEMARK ET L'UNION DES RÉPUBLIQUES SOCIALISTES SOVIÉTISTES, AVEC UNE DÉCLARATION RELATIVE AUX CRÉANCES MUTUELLES. LONDRES, LE 18 JUIN 1924.

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*English official text communicated by the Danish Minister at Berne. The registration of this Agreement took place July 26, 1924.*

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DÉLÉGATION DU GOUVERNEMENT DANOIS  
A MOSCOU.

LONDRES, le 18 juin 1924.

MONSIEUR LE COMMISSAIRE DU PEUPLE,

Le GOUVERNEMENT DANOIS, ayant aujourd'hui reconnu *de jure* le GOUVERNEMENT DE L'UNION DES RÉPUBLIQUES SOCIALISTES SOVIÉTISTES, j'ai l'honneur, conformément aux instructions reçues de mon Gouvernement, de présenter au Gouvernement de l'Union la proposition suivante : en attendant la conclusion d'un traité définitif de commerce et de navigation, l'Accord<sup>2</sup> préliminaire dano-russe, signé le 23 avril 1923, devra régir les relations économiques entre le Danemark et l'Union, et les dispositions de l'Accord, par exemple en ce qui concerne la situation des représentants officiels, devront être modifiées suivant les principes du droit des gens, comme l'implique l'établissement de relations diplomatiques normales entre les deux pays.

Le Gouvernement danois désire en particulier faire observer que, à son avis, la réserve contenue à l'article II, § 3, de l'Accord préliminaire, et renouvelée aux articles IV, VII, VIII et IX, n'ont plus leur raison d'être, et que le Gouvernement danois, en reconnaissant *de jure* le Gouvernement de l'Union, a rempli la condition spécifiée pour avoir droit au traitement de la nation la plus favorisée, conformément aux articles ci-dessus mentionnés, sans autre limitation que celle qui résulte de l'article XII dudit Accord.

Veillez agréer, etc.

(Signé) P. SCHOU.

M. Maxim LITVINOFF,  
Commissaire adjoint du Peuple  
aux Affaires étrangères.

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<sup>1</sup> Traduit par le Secrétariat de la Société des Nations.

<sup>1</sup> Translated by the Secretariat of the League of Nations.

<sup>2</sup> Vol. XVIII, page 15, of this Series.

LONDON, June 18, 1924.

SIR,

In reply to your note of to-day's date, I have the honour to advise you that the GOVERNMENT OF THE UNION OF SOCIALIST SOVIET REPUBLICS readily agree to the proposal of the DANISH GOVERNMENT to the effect that the Danish-Russian Preliminary Agreement signed on April 23, 1923, shall, pending the conclusion of a final Treaty of Commerce and Navigation, govern the economic relations between Denmark and the Union, with such modifications in the stipulations of the Agreement, *e.g.*, as regards the position of the official representatives, as are a natural consequence of the establishment of normal political relations between the two countries.

The Soviet Government, however, regret that they are unable to accede to the claim of your Government to the most-favoured-nation treatment to the extent indicated in your note. The Soviet Government feel compelled to limit this most-favoured-nation treatment in favour of such States which have recognised the Union *de jure* on or before February 14, 1924.

In view thereof and in order to render the stipulations of the Preliminary Agreement more complete I beg to propose the following :

In place of the Articles II, IV, section 2, paragraph 2, VII, VIII and IX, it is agreed that the Union Government, on condition of reciprocity, grant to Danish merchandise, Danish ships as well as Danish citizens and corporations (juridical persons), in every respect mentioned in the said articles, the same rights, privileges and facilities which the Union have granted or may grant to the merchandise, ships, citizens or corporations of any other country. Neither of the High Contracting Parties shall, however, be entitled to claim such rights, privileges and facilities as the other Party may have granted exclusively to countries which have recognised the Soviet Government *de jure* before February 14, 1924, in those respects mentioned in the Preliminary Agreement, Article II, Article IV, section 2, paragraph 2 (with the exception of the protection of persons and property and the imposition on Danish citizens and Danish companies of taxes and duties of every kind), as well as Article VII, with regard to duties and taxes of any kind whatsoever imposed on ships and their cargoes. Nor shall either of the High Contracting Parties be entitled to claim the right of cabotage or the benefit of special agreements made by the other Party with any third country in respect of transit of goods.

The citizens and corporations of one of the Parties shall have free access to the tribunals of the other Party either as plaintiff or as defendant and also to the authorities.

I have the honour to be, with the highest consideration,

Your obedient servant,

(Signed) MAXIM LITVINOFF,  
*Deputy People's Commissary  
for Foreign Affairs.*

Mr. P. SCHOU,  
First Official De'egate  
of the Danish Government in Moscow.  
p. t. London.

DELEGATION OF THE DANISH GOVERNMENT,  
MOSCOW.

p. t. LONDON, June 18, 1924.

SIR,

In reply to your note of to-day's date, I have the honour, according to instructions received from my Government, to notify you that the Royal Danish Government have with regret taken cognisance of the fact that the Union Government feel compelled to limit the most-favoured

treatment to be granted to Denmark in accordance with the existing Preliminary Agreement by making the reservation laid down in your note in favour of such States which have recognised the Soviet Government *de jure* on or before February, 14, 1924.

In the opinion of the Danish Government this far-reaching reservation is not in accordance with the underlying ideas of the Preliminary Agreement. According to Articles II, IV, VII, VIII and IX of the said Agreement, there is a distinction in principle between such States which have recognised the Soviet Government *de facto* and such which have recognised *de jure*, and it is implied that by recognising *de jure* Denmark becomes entitled to the same treatment as those countries which have recognised or may recognise the Soviet Government *de jure*. Consequently, in the opinion of the Royal Government, Denmark has after the re-establishment of normal relations between the two countries a claim to full most-favoured nation treatment without any further limitation than that mentioned in Article XII.

However, in order to create a basis for the further development of trade between the two countries until a final Commercial Treaty can be agreed upon, the Royal Government declare their readiness to accept the proposal submitted in your above note.

I have the honour to be, with the highest consideration,

Your obedient servant,

(Signed) P. SCHOU.

M. Maxim LITVINOFF,  
Deputy Commissioner of the People  
for Foreign Affairs.

#### DECLARATION RESPECTING MUTUAL CLAIMS.

THE ROYAL DANISH GOVERNMENT and THE GOVERNMENT OF THE UNION OF SOCIALIST SOVIET REPUBLICS declare that either Party maintains all its own claims and those of its nationals and corporations against the other Party in respect of property or rights or in respect of obligations of the existing or former Governments of either Party. Neither the Royal Danish Government nor the Government of the Union of Socialist Soviet Republics do renounce any of their claims for the payment of compensation or restitution of property ; the said claims shall not be subjected — under all other equal conditions — to a less favourable treatment than the corresponding claims of any third country or its nationals.

Signed without reserve for ratification.

LONDON, June 18, 1924.

(Signed) P. SCHOU,

*Official Representative of the Danish  
Government in Moscow.*

(Signed) MAXIM LITVINOFF,

*Deputy People's Commissary of Foreign  
Affairs.*

Pour copie conforme :

Copenhague, le 21 juillet 1924.

*Pour le Chef du Service danois de la Société des Nations,*

p. int.

Paul FRIIS.